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Volume 2

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Muhammad Subhi bin Hasan Hallāq

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Contents

The Fifth Book

The Book of Hajj (Pilgrimage)

The First Chapter: The Rulings of Hajj.....	33
The First Section: The Obligation to Perform Hajj.....	33
1. Definition of Hajj	33
2. Hajj with 'Umrah is obligatory for every post-pubertal, rational, free Muslim who has the ability to perform it	34
3. If a child performs Hajj, his Hajj is correct, but it does not relieve him of the obligatory Hajj of Islam once he reaches puberty.....	35
4. It is permissible to appoint someone, such as a son, a brother or close relation to perform Hajj on one's behalf.....	36
5. The virtue of Hajj and 'Umrah	37
The Second Section: The Obligation to Specify the Type of Hajj When Making the Intention (Niyyah).....	39
Firstly: Specifying the type of Hajj to be performed when making the intention is obligatory	39
1. Hajj At-Tamattu'.....	39
2. Al-Qiran.....	39
3. Al-Ifrad	40
4. The best type of Hajj is At-Tamattu'	40
Secondly : Ihram is assumed from the defined mawaaqeet.....	41
The Third Section: The Hajj of the Prophet ﷺ.....	42
The Fourth Section: Things to be Avoided by One Who is in a State of Ihram	51
1. The muhrim should not wear a shirt, an 'imamah (turban), a burnus (hooded cloak), trousers, (a Muslim intending to perform 'Umrah or Hajj) clothes that have been dyed in wars or saffron, nor should he wear khifaf (leather socks), unless he is unable to find any shoes, in which case, he must cut them, so that they are below the ankles.....	51
2. A woman should not wear a niqab nor should she wear gloves.....	52
3. The muhrim should not apply perfume when entering the state of ihram	52
4. The muhrim should not trim his nails	53
5. Removing the hair by shaving, cutting or other means	54



The Second Chapter: 'Umrah Performed Alone	101
1. <i>Ihram</i> is assumed from the <i>Meeqat</i>	101
2. Whoever is in Makkah should assume <i>Ihram</i> for 'Umrah from outside the Sacred Precincts	101
3. The pillars of 'Umrah	103
4. It is lawful to perform 'Umrah on any day of the year	103

The Sixth Book

The Book of An-Nikah (Marriage)

The First Chapter: An-Nikah (Marriage)	107
The First Section: Rulings of Marriage	107
1. The Encouragement to Marry	107
2. <i>At-Tabattul</i> is unlawful	108
3. A description of the type of woman to whom it is desirable to propose	109
4. The adult woman (i.e. a previously married woman) should be consulted before marriage and her acceptance should be shown	110
5. It is incumbent upon a young woman's guardian to ask his daughter's opinion and it is a sin for him to compel her to marry	110
6. The permissibility for the guardian to present his daughter to those who appear to be righteous and religious and such an action is not considered to be reprehensible for him or for his daughter	111
7. A minor's hand may be sought in marriage from her guardian	112
8. It is unlawful to make a proposal of marriage to a girl who is already considering the proposal of another	112
9. It is unlawful to propose marriage while a woman is in her 'iddah following the death of her spouse or following her divorce - whether it is an irrevocable divorce or a revocable one	113
10. It is permissible to make a hint of marriage to a woman who is in her 'iddah following the death of her husband or following an irrevocable divorce	113
11. It is permissible for a man to look at the woman to whom he has proposed	114
12. The presence of the <i>waliyy</i> (guardian) is a necessary condition for the validity of the marriage	115
13. It is a condition for the validity of the marriage that two witnesses be present	116
14. The guardianship of the <i>waliyy</i> is invalid if he prevents her from marrying or he is guilty of <i>shirk</i>	117
15. It is permissible for each spouse to appoint a representative to arrange the marriage, even if they both appoint the same person	117
16. It is preferred for a sermon to be given in marriage	118
17. Supplication for the newly married	120

The Second Section: Forbidden Types of Marriage	120
1. <i>Mut'ah</i> marriage is abrogated	120
Firstly: At Khaibar	122
Secondly: During 'Umrah Al-Qadah' (the Compensatory 'Umrah)	122
Thirdly: The Year of the Conquest (of Makkah)	123
Fourthly: The Year of Awtas	123
Fifthly: The Battle of Tabook	124
Sixthly: During the Farewell Pilgrimage	124
2. <i>At-Tahleel</i>	125
3. <i>Ash-Shighar</i>	126
4. The slave marrying without the permission of his master	126
5. Marrying a woman and her paternal aunt or her maternal aunt ...	126
6. The marriage of a person in a state of <i>Ihram</i>	127
7. Marrying an adultress or a pagan woman	127
8. Marrying more than four women	128
9. Marrying two sisters	129
10. A woman who has been divorced three times is not permissible to her former husband until she marries another man in a genuine marriage (and is then divorced by him)	129
11. Marriage explicitly forbidden by the Qur'an	130
The Third Section: Rulings of Al-Mahr or As-Sadaq (the Dower)	141
The Fourth Section: The Ruling of the <i>Waleemah</i> (Wedding Celebration)	147
The Fifth Section: Even-handed Treatment of Wives	148
The Sixth Section : The Rights of the Husband and Wife	151
The Second Chapter: Divorce	161
The First Section: The Legality of Divorce and its Rulings	161
1. The legality of divorce	162
2. Divorce does not take place when pronounced due to fierce anger	162
3. A pronouncement of divorce made in jest is considered to have taken place	163
4. It is permissible to divorce a woman who is in a state of purification, in which she has not been touched (i.e. had sexual intercourse) and she was not divorced in the menstrual period before it or during clear pregnancy	163
The Second Section: How Does Divorce Take Place?	165
1. The ruling on divorce when suggested via an indirect allusion	165
2. The ruling on divorce by choice	165
3. The ruling on divorce through an agent	166
4. The ruling of divorce with the wording of unlawfulness	167
5. Taking the wife back is the right of the husband during the period of her 'iddah, when the divorce is revocable	167

4. Is it permissible to detain or imprison a person who has become bankrupt?.....	311
5. It is a sin for one who has the means to settle his debts not to do so...	312
6. When is it permissible to prevent a bankrupt person from trading?.....	312
7. When is it permissible to prevent a wastrel from disposing of his money or his property?.....	313
8. When should the orphan be given access to his money?	313
9. It is permissible for the orphan's guardian to eat from the property of the orphan in accordance with what is deemed reasonable	313

The Twenty-first Chapter: *Al-Luqatah*..... 315

1. What should a person who finds lost property do?.....	315
2. It is permissible for the one who finds <i>al-luqatah</i> to use it for himself and to be responsible for it if the owner comes to him after he has announced it for a year.....	316
3. To go to great lengths in announcing that one has found a lost property in Makkah	317
4. It is permissible for the finder of a lost property to utilise those things which are of insignificant value	318
5. Lost livestock is considered a lost property, aside from camels.....	318

The Twenty-second Chapter: *As-Sulh*..... 319

1. The evidence for the legality of <i>as-sulh</i> is in the Words of Allah, Most High.....	319
2. When is <i>as-sulh</i> not permissible?	320
3. Evidence for the permissibility of <i>as-sulh</i> regarding something that is known and something that is unknown by known or unknown means.....	320
4. Evidence for the permissibility of reconciliation regarding capital punishment	321
5. Evidence for the permissibility of <i>as-sulh</i> in the face of rejection or silence	322

The Eighth Book

The Book of *Al-Ayman* (Oaths)

The Chapter: *Al-Ayman* (Oaths)..... 325

1. Explanation of the meaning of <i>al-ayman</i>	325
2. How is an oath effected?	325
3. Swearing by other than Allah, The Most High is unlawful	326
4. Whoever intentionally swears falsely by a religion other than Islam, then he is what he has said	327
5. A person who swears to something, but makes an exception he is not guilty of perjury	327

6. If a person swears an oath to do something and then sees another course of action is better, he should make expiation for his oath.....	328
7. A person who is forced to swear an oath does not commit perjury	328
8. Whoever knows that his oath is false, then his oath is <i>Ghamoos</i>	329
9. Those that make unintentional oaths will not be called to account for them.....	329
10. It is a Muslim's right upon another Muslim that the latter fulfills his oath.....	330
11. What is required to expiate for an unfulfilled oath	331
12. The ruling on swearing by something unlawful.....	331

The Ninth Book

The Book of *An-Nuzoor* (Vows)

The Chapter: The Book of *An-Nuzoor* (Vows)..... 335

1. The meaning of <i>an-nuzoor</i>	335
2. The legality of <i>an-nazr</i>	335
3. When is it correct to make a vow?.....	336
4. The prohibition of making conditional vows	337
5. Some types of vows to commit acts of disobedience.....	337
6. One should not make vows regarding things which Allah has not legislated.....	338
7. One should not make vows to do things that are not within his capability	338
8. It is necessary for one who vows to commit an act of disobedience or vows to do something that is beyond his capability to make expiation for an unfulfilled oath	339
9. If a pagan vows to perform an act of obedience and then he embraces Islam, he should fulfill his vow.....	339
10. What is incumbent upon one who vows all of his wealth?.....	340
11. If a son fulfills an oath made by his father after his death, it will be accepted.....	340

The Tenth Book

The Book of *Al-At'imah* (Foods)

The First Chapter: Unlawful Foods..... 343

1. Fundamentally, all foods are lawful except those which have been declared unlawful by Allah and His Messenger ﷺ.....	343
2. Forbidden foods in the Book of Allah.....	346
3. Foods prohibited by the Prophetic <i>Sunnah</i>	348
4. Other things besides those unlawful things which have already been mentioned.....	351
5. Permission to eat unlawful creatures in cases of necessity	352

20. Warning against enmity in relation to inheritances	423
21. <i>Al-Hajb and al-hirman</i>	424

The Fifteenth Book

The Book of *Al-Hudood*

The Chapter: The Book of <i>Al-Hudood</i>	429
1. The meaning of <i>al-hudood</i>	429
2. The dislike of intercession in <i>al-hadd</i> , once the case has been referred to those in authority	429
3. It is preferred for a Believer to cover up his sin	430
4. Allah's Divinely ordained punishments are expiations	431
5. Who carries out these legal punishments?	432
The First Chapter: The Punishment for Illegal Sexual Intercourse	433
1. The punishment for the virgin who commits illegal sexual intercourse	433
2. The punishment for the <i>thayyib</i> who commits illegal sexual intercourse	434
3. Illegal sexual intercourse is established by one confession; four repetitions are for the purpose of confirmation	435
4. Illegal sexual intercourse is also confirmed by the testimony of four eye-witnesses	436
5. It is necessary that the confession or the eye-witness testimony contains a clear statement to the effect that the penis of the man penetrated the vagina of the woman	437
6. The punishment is not implemented in cases where the person recants his testimony	437
7. The punishment is not carried out in cases where the woman is a virgin or if her vagina has been sealed and if a man has been amputated or he is impotent	438
8. It is legislated to place the individual being stoned into a dug hole up to his chest	439
9. A pregnant woman is not stoned until she has delivered and breastfed her child, if there is none to breastfeed him	439
10. It is permissible to inflict a flogging when a person is ill with an <i>'ithkal</i>	440
11. The punishment for sodomy is death, for the sodomite and for the one who is sodomised - regardless of whether they are married or unmarried	442
12. The punishment for having sexual intercourse with an animal is censure or rebuke	442
13. The punishment for the slave is half of that for the free person	443
14. If anyone was forced against their will to commit unlawful sexual intercourse, there is no punishment for him	443

15. If three persons witnessed illegal sexual intercourse, but the fourth person did not, the punishment of the three is that they be flogged	444
The Second Chapter: The Punishment for Stealing	445
1. Conditions which must be met before the legal punishment for theft is applied	445
2. Theft is confirmed by one of two things	448
3. The thief's right hand is cut off	448
4. The punishment is cancelled if the victim of the theft pardons the thief before the matter is raised with the authorities	449
5. The hand is not cut in four cases	449
6. Borrowing things and then denying having done so is theft, the punishment for which is that the hand be cut off	450
7. Sections relating to this matter	450
The Third Chapter: The Punishment for Falsely Accusing a Person of Adultery	453
1. The punishment for making a false accusation of adultery is eighty lashes	453
2. The punishment is confirmed by confession or by the testimony of two impartial witnesses	454
3. One who makes a false accusation of adultery is deemed to have forfeited the attribute of fairness and impartiality until he turns in repentance to Allah	454
4. The punishment is not carried out in two cases	454
The Fourth Chapter: The Punishment for Consuming Alcoholic Beverages ..	455
1. Drinking alcoholic beverages is one of the major sins, and this is the consensus of the scholars.	455
2. Conditions which must be met before the legal punishment becomes obligatory	455
3. The punishment for the one who consumes alcohol is forty lashes, and that can be more or less, even it be with a Sandal	456
4. The punishment is confirmed upon one who drinks alcoholic beverages by his confession or by the eye-witness testimony of two impartial witnesses	456
5. The punishment is confirmed upon one who drinks alcoholic beverages by the eye-witness testimony of two impartial witnesses, even if the testimony was to the effect that he was vomiting	456
6. Killing the one who drinks alcoholic beverages the fourth time he is found guilty of it is abrogated	457
7. The permissibility of issuing a rebuke regarding sins for which there is no confirmed punishment	457
8. It is not permissible to supplicate against one who drinks alcoholic beverages	458

The Fifth Chapter: The Punishment for the Muharib	461
1. The meaning of <i>al-harâbah</i>	461
2. The ruling on <i>al-harabâh</i>	461
3. The Imam may deal with those who wage war in a manner which he considers most fitting for the benefit of Allah's Religion....	462
4. The sentence is lifted from the <i>muharib</i> if he turns in repentance to Allah (and returns to Islam and the Muslims) before he is captured	463
The Sixth Chapter: Those Who Deserve Capital Punishment	465
1. The one who makes war against the Muslims	465
2. One who apostatises from Islam	468
3. The sorcerer	468
4. The soothsayer	469
5. One who curses or maligns Allah, His Messenger, His Book, the <i>Sunnah</i> or Islam	470
6. The <i>Zindeeq</i>	471
7. The punishment of death is carried out on those who are deemed deserving of it after asking them to turn in repentance to Allah.....	471
8. The married (or divorced) person who commits unlawful sexual intercourse The evidence for this has been given earlier.	471
9. The Sodomite The evidence for this has been given earlier.....	471
10. The <i>Muharib</i> The evidence for this has been given earlier.....	471

The Sixteenth Book

The Book of *Al-Qisas* (The Law of Equality in Punishment)

The Chapter: The Book of <i>Al-Qisas</i> (The Law of Equality in Punishment)...	475
1. Evidence for the obligation of <i>al-qisas</i>	475
2. Exaltation of the inviolability of the Muslims.....	476
3. Upon whom is <i>al-qisas</i> obligatory?.....	478
4. Types of killing	478
5. From the rights of the inheritors in that they forego <i>al-qisas</i> and seek the blood-money.	478
6. Narrations that are connected with killings	479
7. The agreement of the scholars regarding the killing of a woman for a man, a slave for a free man and a disbeliever for a Muslim	481
8. The free man is not killed for the slave, nor is the Muslim killed for the disbeliever	482
9. The "root" (parent) is not killed for the "branch" (child).....	484
10. <i>Al-Qisas</i> is confirmed for bodily organs and the like and for injuries, where possible	484
11. <i>Al-Qisas</i> is cancelled if one of the victim's heirs pardons the perpetrator	485

12. If one of the heirs is a minor, <i>al-qisas</i> must be deferred until he reaches the age of maturity	486
13. <i>Al-Qisas</i> is not implemented in cases where the injury was caused to a person as a result attacking another	486
14. What is the ruling on one who seized a man and another killed him.....	486
15. The punishment for killing someone by mistake is <i>diyyah</i> and atonement	487
16. It is obligatory for the ' <i>asabah</i> of the one who killed someone accidentally to pay the blood money	488

The Seventeenth Book

The Book of *Ad-Diyat*

The Chapter: Book of <i>Ad-Diyat</i>	491
1. The meaning of <i>ad-diyah</i>	491
2. The amount of the <i>diyyah</i> to be paid for a Muslim man	492
3. When does one deal more harshly in taking the blood-wit?	493
4. How does one deal more harshly when taking blood-wit?	494
5. The amount of the blood-wit for a Jew or Christian living under Muslim protection is half of that for a Muslim	494
6. The amount of blood-wit for a woman's death and for the loss of her limbs.....	495
7. The amount of the blood-wit for bodily parts and skull fractures	495
8. The blood-wit payments for <i>ash-shijaj</i> (injuries affecting the head and face)	496
9. The blood-wit for a foetus	497
10. The meaning of <i>al-qasamah</i>	497
11. The accuser give them the opportunity to choose between swearing fifty oaths or paying the blood-wit; if the case is unclear, then the money will be paid from the <i>Bait Al-Mal</i> (The State Treasury)	498
12. <i>Al-Qasamah</i> in the <i>Jahiliyyah</i>	498

The Eighteenth Book

The Book of *Al-Qada'* (Judgements)

The First Chapter: Judgement	503
1. The legality of it	503
2. The ruling on it	504
3. From whom are judgements valid?.....	505
4. It is not lawful to seek or covet a position as judge	506
5. It is not lawful for an Imam to appoint one who covets and seeks a position as judge	507
6. The professional judge is in great danger	507
7. Women should not be appointed as judges	508

10. Clarification of the unlawfulness of taking anything from the spoils of war and what has been said regarding warning against it ..	542
11. It is permissible for the Imam to do what is best for Islam and the Muslims, whether it be killing, ransom or freeing the captives without ransom	543
The Third Chapter: Rulings on Captives, Spies and Truces	545
1. It is permissible to enslave both Arab and non-Arab disbelievers..	545
2. It is permissible to kill spies	546
3. Clarification that if the (enemy) combatant embraces Islam of his own free will, his property will be returned to him	546
4. Clarification that if the slave of the disbeliever embraces Islam, his freedom is established (thereby)	547
5. The ruling on land seized as booty is left to the Imam, who does with it what is most beneficial (for the <i>Ummah</i>)	548
6. If a person's safety is guaranteed by a Muslim, then he becomes protected.....	548
7. That messengers are like those whose safety is assured.....	549
8. It is permissible to conclude a truce with the disbelievers, their rulers and their townships, if the Imam and those among the Muslims whose responsibility it is to make decisions use their <i>ijtihad</i> and thus come to know that there is some benefit to the Muslims in doing so and they do not fear treachery on the part of the disbelievers - even if conditions are imposed and the duration of the treaty is not more than ten years.....	549
9. And it is permissible to make the treaty permanent, if it is accompanied by the payment of <i>jizyah</i>	550
10. The pagans and those under the protection of the Muslims are not allowed to reside in the Arabian Peninsula	551
11. From whom is the <i>jizyah</i> taken?.....	551
12. Its amount	551
The Fourth Chapter: The Ruling on Fighting Rebels.....	553
1. It is obligatory to fight tyrants until they return to the truth	553
2. The rebel captives may not be killed, neither should they be pursued when they are in flight, nor should their wounded be killed off and nor should their property be taken as war booty.....	554
The Fifth Chapter: The Rulings of Imamate	555
1. It is obligatory to obey the ruler, unless he orders the people to disobey Allah.....	555
2. It is not permissible to rise up against the ruler, so long as he establishes prayer and does not display open signs of disbelief	556
3. The obligation to patiently persevere in the face of the ruler's tyranny	558
4. The obligation to advise the rulers.....	559
5. Clarification of what is incumbent upon the ruler with regard to those in his care.....	559

The Fifth Book

The Book of Hajj (Pilgrimage)

(Consisting of Two Chapters)

﴿وَأَمَّا قُلُوبُ الَّذِينَ عِندَ الْمُشْرِكِينَ لَا تَفْقَهُوا دِينَ اللَّهِ فَذَرْهُمْ حَتَّى يُلَاقُوا يَوْمَهُمُ الَّذِي فِيهِ يُصْعَقُونَ﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allah, those who can afford the expenses (for one's conveyance, provision and residence)" (Surah-
Al-Imran 3:97)

10. Clarification of the unlawfulness of taking anything from the spoils of war and what has been said regarding warning against it ..	542
11. It is permissible for the Imam to do what is best for Islam and the Muslims, whether it be killing, ransom or freeing the captives without ransom	543

The Third Chapter: Rulings on Captives, Spies and Truces

1. It is permissible to enslave both Arab and non-Arab disbelievers ..	545
2. It is permissible to kill spies	546
3. Clarification that if the (enemy) combatant embraces Islam of his own free will, he is not to be killed	546

The First Chapter: Rulings of Hajj.

- ◆ The first section: The obligation to perform Hajj. 547
- ◆ The second section: The obligation to specify the type of Hajj when making the intention (*niyyah*). 548
- ◆ The third section: The Hajj of the Prophet ﷺ. 549
- ◆ The fourth section: Things to be avoided by one who is in a state of *ihram*. 550
- ◆ The fifth section: Obligatory actions during the *tawaf*. 551
- ◆ The sixth section: The obligation to perform *sa'ee* between As-Safa and Al-Marwah. 551
- ◆ The seventh section: The rites of Hajj. 551
- ◆ The eighth section: Innovations in Hajj. 553
- ◆ The ninth section: The best types of *hadi*. 553

The Second Chapter: 'Umrah performed by itself.

----- ♦ ♦ ♦ -----	555
1. It is obligatory to obey the ruler, unless he orders the people to disobey Allah	555
2. It is not permissible to rise up against the ruler, so long as he establishes prayer and does not display open signs of disbelief	556
3. The obligation to patiently persevere in the face of the ruler's tyranny	558
4. The obligation to advise the ruler	559
5. Clarification of what is incumbent upon the ruler with regard to those in his care	559

is the intention to visit the House. And there is no other meaning to the intention.

2. Hajj with 'Umrah is obligatory for every post-pubescent male Muslim who has the ability to perform it.

And there is no other meaning to the intention.

Allah, The Most High says in Surah Al-Baqara: "And Hajj with 'Umrah is obligatory for every post-pubescent male Muslim who has the ability to perform it."

And it is reported on the authority of 'Abdullah Ibn 'Abbas that the Messenger of Allah (ﷺ) said: "Hajj is a duty that mankind owes to Allah, those who can afford the expenses (for one's conveyance, provision and residence)."

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The First Chapter

The Rulings of Hajj

The First Section:

The Obligation to Perform Hajj

1. Definition of Hajj:

The linguistic meaning of the word *Hajj* is intention, so the meaning of the Words of Allah, The Most High:

﴿وَلِلّٰهِ عَلَى النَّاسِ حُجُّ الْبَيْتِ مَنِ اسْتَطَاعَ اِلَيْهِ سَبِيْلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allah, those who can afford the expenses (for one's conveyance, provision and residence)" (Surah Ali 'Imran 3:97)

Al-Khifaf: The plural of *khuff* (leather sock), which is worn; as for the *khuff* of the camel, its plural is *akhfaf*.

Al-Ka'bain: They are the bones which protrude from the point at which the legs join the feet (i.e. the ankles).

Al-Wars: It is a yellow plant, with a pleasant perfume, which is used as a dye; its meaning may be extended to include all yellow coloured garments.

2. A woman should not wear a *niqab*^[1] nor should she wear gloves:

It is reported on the authority of 'Abdullah Ibn 'Umar رضي الله عنه that the Prophet ﷺ said:

«لَا تَتَقَبِّ الْمَرْأَةُ الْمُحْرِمَةُ وَلَا تَلْبَسِ الْقَفَازِينَ»

"A woman who is in a state of *ihram* should not wear a *niqab* and nor should she wear gloves." This is an authentic *hadeeth*.^[2]

3. The *muhrim* should not apply perfume when entering the state of *ihram*:

It is reported on the authority of Safwan Ibn Ya'la Ibn Umayyah that Ya'la رضي الله عنه used to say to 'Umar Ibn Al-Khattab رضي الله عنه: "I wish I could see the Messenger of Allah ﷺ at the time when he is being inspired divinely." Ya'la رضي الله عنه added: "While the Prophet ﷺ was at Al-Ji'ranah, shaded with a cloth sheet (in the form of a tent) and there were staying with him some of his Companions رضي الله عنهم under it, suddenly there came to him a Bedouin wearing a cloak and perfumed extravagantly. He said: "Oh, Messenger of Allah! What is your opinion regarding a man who assumes the state of *ihram* for 'Umrah wearing a cloak after applying perfume to his body?" 'Umar رضي الله عنه signalled with his hand to Ya'la رضي الله عنه to come

[1] *Niqab*: A veil.

[2] Narrated by Al-Bukhari (no. 1838), At-Tirmizi (no. 833), An-Nasa'i (5/133), Ahmad (2/119) and Abu Dawood (no. 1825).

(near). Ya'la رضي الله عنه came and put his head (underneath that cloth sheet) and saw the Prophet ﷺ red-faced and when that state (of the Prophet ﷺ) was over, he said:

«أَيْنَ الَّذِي سَأَلَنِي عَنِ الْعُمْرَةِ أَنْفَاءً؟» فَالْتَمَسَ الرَّجُلُ، فَجِيءَ بِهِ، فَقَالَ النَّبِيُّ ﷺ: «أَمَّا الطِّيبُ الَّذِي بِكَ، فَاغْسِلْهُ ثَلَاثَ مَرَّاتٍ، وَأَمَّا الْجُبَّةُ، فَانْزِعْهَا، ثُمَّ اصْنَعْ فِي عُمْرَتِكَ مَا تَصْنَعُ فِي حَجِّكَ»

"Where is he who has already asked me about the 'Umrah?" The man was looked for and brought to the Prophet ﷺ. The Prophet ﷺ said (to him): "As for the perfume you have applied to your body, wash it off (your body) three times and take off your cloak, and then perform in your 'Umrah the rites you perform in your Hajj." This is an authentic *hadeeth*.^[1]

It is permissible for the *muhrim* to keep the perfume that was on his body before he entered the state of *ihram*:

It is reported on the authority of 'A'ishah رضي الله عنها, the wife of the Prophet ﷺ that she said:

«كُنْتُ أُطِيبُ رَسُولَ اللَّهِ ﷺ لِإِحْرَامِهِ حِينَ يُحْرِمُ وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ»

"I used to scent the Messenger of Allah ﷺ when he wanted to assume *Ihram* and also on finishing *Ihram* before the *Tawāf* (round of the Ka'bah)." This is an authentic *hadeeth*.^[2]

4. The *muhrim* should not trim his nails:

Ibn Al-Munzir said:^[3] "There is a consensus among the scholars that trimming the nails is unlawful for the *muhrim*."

[1] Narrated by Al-Bukhari (no. 4985) and Muslim (no. 8/1180).

[2] Narrated by Al-Bukhari (no. 1539) and Muslim (no. 33/1889).

[3] See: 'Al-Ijma' (no. 57).

These are the occasions on which it has been reported that it was abrogated, although there is some disagreement regarding the authenticity of some of them.

Firstly: At Khaibar

It was reported that 'Ali ؑ said to Ibn 'Abbas ؓ: "The Prophet ﷺ prohibited *mut'ah* marriage and domestic donkey meat at the time of Khaibar." This is an authentic *hadeeth*.^[1]

I say: The Prophet ﷺ prohibited *mut'ah* marriage on the day of the Battle of Khaibar and then he permitted it after that. Then he prohibited it once again in the year of the Conquest (of Makkah), but the license was not conveyed to 'Ali Ibn Abi Talib, so he based his statement on what he had heard from the Messenger of Allah ﷺ in the *hadeeth* of the prohibition on the day of the Battle of Khaibar and also on the final position in the matter.

Secondly: During 'Umrah Al-Qadah' (the Compensatory 'Umrah)

It is reported on the authority of Al-Hasan Al-Basri ؓ that he said: "When the Messenger of Allah ﷺ arrived in Makkah, the women of Al-Madinah^[2] beautified themselves and so the Companions of the Messenger of Allah ﷺ complained to him, so he said:

«تَمَتَّعُوا مِنْهُنَّ وَاجْعَلُوا الْأَجَلَ بَيْنَكُمْ وَبَيْنَهُنَّ ثَلَاثًا، فَمَا أَحْسَبُ
رَجُلًا يَتِمَكَّنُ مِنْ امْرَأَةٍ ثَلَاثًا إِلَّا وَلَّاهَا الدُّبْرَ»

"Contract *mut'ah* marriages with them and make the period of marriage between you and them three days, for I do not know any man who takes possession of a woman for three days, except that he

[1] Narrated by Al-Bukhari (no. 5115) and Muslim (no. 1407).

[2] It seems most likely that the correct wording is: "the women of Makkah", as required by the context.

turns his back on her." This is weak, due to its being *mursal*.^[1]

Thirdly: The Year of the Conquest (of Makkah)

It is reported on the authority of Ar-Rabee' Ibn Saburah that his father ؓ fought alongside the Messenger of Allah ﷺ in the conquest of Makkah and he said: "We stayed there for fifteen days (thirty between night and day) and the Messenger of Allah ﷺ permitted us to contract temporary marriage with women. So I and another person of my tribe went out, and I was more handsome than he, whereas he was almost ugly. Each one of us had a cloak. My cloak was worn out, whereas the cloak of my cousin was quite new. As we reached the lower or the upper side of Makkah, we came across a young woman like a young smart long-necked she-camel. We said: "Is it possible that one of us may contract temporary marriage with you?" She said: "What will you give me as a dowry?" Each one of us spread his cloak. She began to cast a glance on both the persons. My companion also looked at her while she was casting a glance at her side and he said: "This cloak of his is worn out, whereas my cloak is quite new." She, however, said twice or thrice: "There is no harm in (accepting) this cloak (the old one)." So I contracted temporary marriage with her, and I did not come out (of this) until the Messenger of Allah ﷺ declared it forbidden."^[2]

Fourthly: The Year of Awtas.

It is reported on the authority of Salamah Ibn Al-Akwa' ؓ that he said: "The Messenger of Allah ﷺ permitted us to contract temporary marriage for three nights in the year of Awtas and then he prohibited it."^[3]

Narrated by Sa'eed Ibn Mansoor in his 'Sunan' (1/217) and by 'Abdur-Razzaq in 'Al-Musannaf' (nos. 14040 and 14043).

Narrated by Muslim (no. 20/1406).

Narrated by Muslim (no. 20/1406), Al-Baihaqi (7/204) and Ibn Hibban (no. 4151).

The First Chapter: Types of unlawful sales.

The Second Chapter: Ar-Riba.

The Third Chapter: Al-Khiyarat (Conditional Sales).

The Fourth Chapter: As-Salam.

The Fifth Chapter: Al-Qardh.

The Sixth Chapter: Ash-Shaf'ah.

The Seventh Chapter: Al-Ijarah.

The Eighth Chapter: Al-Ihya' and Al-Iqta'.

The Ninth Chapter: Ash-Sharikah.

The Tenth Chapter: Ar-Rahn.

The Eleventh Chapter: Al-Wadee'ah and Al-'Ariyah.

The Twelfth Chapter: Al-Ghasb.

The Thirteenth Chapter: Al-'Itq.

The Fourteenth Chapter: Al-Waqf.

The Fifteenth Chapter: Al-Hadaya.

The Sixteenth Chapter: Al-Hibah.

The Seventeenth Chapter: Al-Wakalah.

The Eighteenth Chapter: Adh-Dhamanah or Al-Kafalah.

The Nineteenth Chapter: Al-Hawalah.

The Twentieth Chapter: Al-Muflis.

The Twenty-first Chapter: Al-Luqatah.

The Twenty-second Chapter: As-Sulh.



The First Chapter

Types of Unlawful Sales

1. The legality of trade:

Allah, Most High says in Surah Al-Baqarah (2:275):

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

"Allah has permitted trading and forbidden riba (usury)."

And He, Most High says in Surah An-Nisa' (4:29):

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ﴾

27. It is not permissible to separate *al-maharim* when selling:

It is reported on the authority of Abu Ayyoob ؓ that he said: "I heard the Messenger of Allah ﷺ saying:

«مَنْ فَرَّقَ بَيْنَ الْوَالِدَةِ وَوَلَدِهَا، فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أَحَبِّهِ يَوْمَ الْقِيَامَةِ»

"Whoever separated a mother from her child, Allah will separate him from his loved ones on the Day of Resurrection." This is an authentic *hadeeth*.^[1]

On the contrary, it is more correct to say that it is permissible to separate (them), based upon the *hadeeth* of Jabir Ibn 'Abdillah ؓ who said: "We sold the children's mothers during the lifetime of the Messenger of Allah ﷺ and (during the Caliphate) of Abu Bakr ؓ. Then when 'Umar (became Caliph,) he prohibited us (from separating them), so we stopped doing it."^[2]

It is also narrated on the authority of Jabir ؓ that he said: "We used to sell our captives and the mothers of our children when the Prophet ﷺ was living among us and he saw no objection to that." This is an authentic *hadeeth*.

28. Selling by *an-najsh* is not permissible:

It is reported on the authority of 'Abdullah Ibn 'Umar ؓ that "The Messenger of Allah ﷺ forbade *an-najsh*." This is an authentic *hadeeth*.^[3]

An-Najsh:

Offering a high price for something, not because one needs it but in order to deceive others into buying it.

^[1] Narrated by At-Tirmizi (3/580, no. 1283), who said: "This *hadeeth* is *hasan-ghareeb*."

^[2] Narrated by Abu Dawood (4/262, no. 3954).

^[3] Narrated by Al-Bukhari (4/355, no. 2142) and Muslim (3/1156, no. 13/1516).

29. It is not permissible for a Muslim to sell something over the sale of his brother:

It is reported on the authority of Abu Hurairah ؓ that he said: "The Messenger of Allah ﷺ forbade the selling of things by a town dweller on behalf of a desert dweller; and similarly *an-najsh* was forbidden. And one should not urge somebody to return the goods to the seller so as to sell him his own goods; nor should one demand the hand of a girl who has already been engaged to someone else; and a woman should not try to cause some other woman to be divorced in order to take her place." This is an authentic *hadeeth*.^[1]

30. The prohibition of going out to meet the caravans:

It is reported on the authority of 'Abdullah Ibn 'Abbas ؓ that he said: "The Messenger of Allah ﷺ said:

«لَا تَلْقُوا الرُّكْبَانَ وَلَا يَبِيعَ حَاضِرٌ لِّبَادٍ»

"Do not go to meet the caravans on the way (for buying their goods without letting them know the market price); a town dweller should not sell the goods of a desert dweller on behalf of the latter."

I asked Ibn 'Abbas ؓ: "What does he mean by not selling the goods of a desert dweller by a town dweller?" He said: "He should not become his broker." This is an authentic *hadeeth*.^[2]

And he has the choice (whether or not to proceed with the sale) if he knows that he has been deceived:

It is reported on the authority of Abu Hurairah ؓ that he said: "The Prophet ﷺ forbade meeting the merchant on the way and

Narrated by Al-Bukhari (4/353, no. 2140) and Muslim (3/1155, no. 12/1515).

Narrated by Al-Bukhari (4/370, no. 2158) and Muslim (3/1157, no. 19/1521).

(i.e. powdered barley) and dates, and let you enter a (blessed) house that in which the Prophet entered?" Then he added: "You are in a country where the practice of *riba* (i.e. usury) is prevalent; so if somebody owes you something and he sends you a present of a load of chopped straw, or a load of barley or a load of fodder, then do not take it, as it is *riba*." This is an authentic *hadeeth*.^[1]

2. It is permissible for the borrower to do an act of kindness for the lender, without it being a condition of the loan:

It is reported on the authority of Jabir Ibn 'Abdillah ؓ that he said: "I went to the Prophet ﷺ while he was in the mosque (Mis'ar, the sub-narrator thinks that Jabir ؓ went in the forenoon.) After the Prophet ﷺ told me to pray two *rak'ahs*, he repaid me the debt he owed me and gave me an extra amount." This is an authentic *hadeeth*.^[2]

3. Granting time for the impoverished person to repay the loan:

Allah, Most High says in *Surah Al-Baqarah* (2:280):

﴿وَأِنْ كَانَ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ وَأَنْ تَصَدَّقُوا خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ﴾

"And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay, but if you remit it by way of charity, that is better for you if you did but know."

And it is reported on the authority of Huzaifah ؓ that he said: "I heard the Prophet ﷺ:

«مَاتَ رَجُلٌ فَقِيلَ لَهُ: مَا كُنْتَ تَقُولُ؟ قَالَ: كُنْتُ أَبَايِعُ النَّاسَ فَأَتَجَوَّزُ عَنِ الْمُسِيرِ، وَأُخَفِّفُ عَنِ الْمُعْسِرِ، فَغُفِّرَ لَهُ»

^[1] Narrated by Al-Bukhari (7/129, no. 3814).

^[2] Narrated by Al-Bukhari (5/59, no. 2394) and Muslim (1/495, no. 71/715).

A man died and it was said to him: "What did you use to say (or do) (in your life time)?" He replied: "I was a businessman and I used to give time to the rich man to repay his debt and (I used to) deduct part of the debt of the poor man." So he was forgiven (his sins).

Abu Mas'ood ؓ said: "I heard the same (*hadeeth*) from the Prophet ﷺ." This is an authentic *hadeeth*.^[1]

4. It is an act of injustice for the rich man to delay the repayment of a loan:

It is reported on the authority of Abu Hurairah ؓ that he said: "The Messenger of Allah ﷺ said:

«مَطْلُ الْغَنِيِّ ظُلْمٌ»

"Procrastination (delay) in paying debts by a wealthy man is injustice." This is an authentic *hadeeth*.^[2]

5. One who takes the people's wealth with the intention of repaying it or spoiling it:

It is reported on the authority of Abu Hurairah ؓ from the Prophet ﷺ that he said:

«مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللَّهُ»

"Whoever takes the money of the people with the intention of repaying it, Allah will repay it on his behalf, and whoever takes it in order to spoil it, then Allah will spoil him." This is an authentic *hadeeth*.^[3]

6. To be generous in repayment:

It is reported on the authority of Abu Hurairah ؓ that he said:

^[1] Narrated by Al-Bukhari (no. 2391).

^[2] Narrated by Al-Bukhari (no. 2400) and Muslim (no. 1564).

^[3] Narrated by Al-Bukhari (no. 2387).

«إِحْفَظْ عَوْرَتَكَ إِلَّا مِنْ زَوْجَتِكَ أَوْ مَا مَلَكَتْ يَمِينُكَ»

"Conceal your private parts except from your wife and from those whom your right hands possess (slave-girls)."

I then said: "Oh, Messenger of Allah! (What should we do) if the people are assembled together?" He replied:

«إِنْ اسْتَطَعْتَ أَنْ لَا يَرَيْنَهَا أَحَدٌ فَلَا يَرَيْنَهَا»

"If it is within your power that no one looks at it, then no one should look at it."

I then said: Oh, Messenger of Allah! If one of us is alone (what should he do)?" He replied:

«اللَّهُ أَحَقُّ أَنْ يُسْتَحْيَى مِنْهُ مِنَ النَّاسِ»

"Allah is more entitled than people that bashfulness should be shown to him." This hadeeth is *hasan*.^[1]

2. It is unlawful for males to wear gold and silk and it is lawful for females:

It is reported on the authority of 'Umar Ibn Al-Khattab ؓ that he said: "The Messenger of Allah ﷺ said:

«لَا تَلْبَسُوا الْحَرِيرَ، فَإِنَّهُ مَنْ لَبَسَهُ فِي الدُّنْيَا، لَمْ يَلْبَسْهُ فِي الْآخِرَةِ»

"Do not wear silk, for those who wear it in this world will not wear it in the Hereafter." This is an authentic hadeeth.^[2]

And it is reported on the authority of Abu Moosa Al-Ash'ari ؓ that the Messenger of Allah ﷺ said:

[1] Narrated by Abu Dawood (4/304, no. 4017), Ibn Majah (1/618, no. 1920), At-Tirmizi (5/97, no. 2769), who said that it is *hasan*, and others.

[2] Narrated by Al-Bukhari (10/284, no. 5834) and Muslim (3/1641, no. 11/2069).

«أَجَلَ الذَّهَبِ وَالْحَرِيرِ لِأَنَاثِ أُمَّتِي وَحُرْمَ عَلَى ذُكُورِهَا»

"Gold and silver have been made lawful for the females of my ummah and they have been made unlawful for its (the ummah's) males." This is an authentic hadeeth.^[1]

3. It is permissible to wear four fingers' length of silk only for men:

It is reported on the authority of Abu 'Uthman that he said: "Umar ؓ wrote to us when we were in Azarbeejan (Azerbaijan) saying that: "The Prophet ﷺ forbade the wearing of silk except this much. Then the Prophet ﷺ approximated his two fingers (index and middle fingers) (to illustrate that) to us." Zuhair (the sub-narrator) raised his middle and index fingers. This is an authentic hadeeth.^[2]

In another version, narrated by Muslim, it was said: "He ﷺ forbade the wearing of silk, but to the extent of two or three fingers or four fingers."

This is an authentic hadeeth.^[3]

4. It is permissible for males to wear silk, if it is for the purpose of treating an ailment:

It is reported on the authority of Anas Ibn Malik ؓ that he said: "The Prophet ﷺ permitted Az-Zubair and 'Abdur-Rahman ؓ to wear silk due the itching from which they both suffered." This is an authentic hadeeth.^[4]

[1] Narrated by An-Nasa'i (8/161, no. 5148) and At-Tirmizi (4/217, no. 1720), who said that it is *hasan*.

[2] Narrated by Al-Bukhari (10/284, no. 5829), Muslim (3/1642, no. 12/2069) and others.

[3] Narrated by Muslim (15/2069) and others.

[4] Narrated by Al-Bukhari (10/295, no. 5839), Muslim (3/1646, no. 25/2076) and others.

And the Words of Allah, Most High in Surah Al-Baqarah (2:179):

﴿وَلَكُمْ فِي الْقِصَاصِ حَيَوةٌ يَا أُولِيَ الْأَلْبَابِ﴾

"And there is (a saving of) life for you in al-qisas (the law of equality in punishment), oh, men of understanding."

It is reported on the authority of Abu Hurairah ؓ that he said: "When Allah, the Almighty, the All-powerful gave victory to the Messenger of Allah ﷺ over Makkah, stood up among the people and after glorifying Allah, said:

«... وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ، إِمَّا أَنْ يُغْدَى وَإِمَّا أَنْ يُقْتَلَ»

"...And he whose relative is murdered has the option either to accept a compensation for it or to retaliate." This is an authentic hadeeth.^[1]

2. Exaltation of the inviolability of the Muslims:

Allah, Most High says:

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا ۝ وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَظُلْمًا فَسَوْفَ نُصْلِيهِ نَارًا وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا﴾

"Do not kill yourselves and do not kill one another). Surely, Allah is Most Merciful to you. And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allah." (Surah An-Nisa' 4:29-30)

And He, Most High says:

^[1] Narrated by Al-Bukhari (1/205, no. 112) and Muslim (2/988, no. 447/1355).

﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا﴾

"And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the Wrath and the Curse of Allah are upon him, and a great punishment is prepared for him." (Surah An-Nisa' 4:93) And He, Most High says:

﴿مَنْ أَجَلَ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَءِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا﴾

"Because of that We ordained for the Children of Israel that if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land - it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind." (Surah Al-Ma'idah 5:32)

And it is reported on the authority of Abu Hurairah ؓ that the Messenger of Allah ﷺ said:

«اجْتَنِبُوا السَّبْعَ الْمُوبِقَاتِ» قِيلَ: يَا رَسُولَ اللَّهِ! وَمَا هُنَّ؟ قَالَ: «الشِّرْكُ بِاللَّهِ، وَالسَّحَرُ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ، وَأَكْلُ مَالِ الْيَتِيمِ، وَأَكْلُ الرِّبَا، وَالتَّوَلَّى يَوْمَ الزَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ»

"Avoid the seven great destructive sins." The people enquired: "Oh, Messenger of Allah! What are they?" He said: "To join others in worship along with Allah, to practice sorcery, to kill the life which Allah has forbidden except for a just cause, (according to Islamic law), to eat up riba (usury), to eat up an orphan's wealth, to give back to the enemy and fleeing from the battlefield at the time of fighting, and to accuse chaste women, who never

And the aforementioned *hadeeth* of Abu Hurairah رضي الله عنه, in the Book of *Jihad*, paragraph 10.

And it is reported on the authority of 'Abdullah Ibn 'Umar رضي الله عنه from the Prophet ﷺ that he said:

«السَّمْعُ وَالطَّاعَةُ عَلَى الْمَرْءِ الْمُسْلِمِ فِيمَا أَحَبَّ وَكَرِهَ مَا لَمْ يُؤْمَرْ بِمَعْصِيَةٍ، فَإِذَا أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ»

"A Muslim has to listen to and obey (the order of his ruler) whether he likes it or not, as long as his orders do not involve one in disobedience (to Allah), but if an act of disobedience (to Allah) is imposed, one should not listen to it or obey it." This is an authentic *hadeeth*.^[1]

2. It is not permissible to rise up against the ruler, so long as he establishes prayer and does not display open signs of disbelief:

It is reported on the authority of 'Awf Ibn Malik Al-Ashja'i رضي الله عنه that he said: "I heard the Messenger of Allah ﷺ saying:

«خِيَارُ أَيْمَتِكُمُ الَّذِينَ تُحِبُّونَهُمْ وَيُحِبُّونَكُمْ، وَتُصَلُّونَ عَلَيْهِمْ وَيُصَلُّونَ عَلَيْكُمْ، وَشِرَارُ أَيْمَتِكُمُ الَّذِينَ تُبْغِضُونَهُمْ وَيُبْغِضُونَكُمْ، وَتَلْعَنُونَهُمْ وَيَلْعَنُونَكُمْ» قَالَ قَالُوا: يَا رَسُولَ اللَّهِ! أَفَلَا تُنَادِيهِمْ عِنْدَ ذَلِكَ؟ قَالَ: «لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ، قَالَ: لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ. أَلَا! مَنْ وَلِيَ عَلَيْهِ وَالٍ، فَرَأَهُ يَأْتِي شَيْئًا مِنْ مَعْصِيَةِ اللَّهِ، فَلْيَكْرِهْ مَا يَأْتِي مِنْ مَعْصِيَةِ اللَّهِ، وَلَا يَنْزِعَنَّ يَدًا مِنْ طَاعَةٍ»

"The best of your rulers are those whom you love and who love you, who invoke Allah's Blessings upon you and you invoke His Blessings upon them. And the worst of your rulers are those whom you hate and who hate you and whom you curse and who

^[1] Narrated by Al-Bukhari (13/121, no. 7144) and Muslim (3/1469, no. 38/1839).

curse you." It was asked (by those present): "Shouldn't we overthrow them with the help of the sword?" He said: "No, as long as they establish prayer among you. If you then find anything detestable in them, you should hate their administration, but do not withdraw yourselves from their obedience." This is an authentic *hadeeth*.^[1]

And it is reported on the authority of Huzaifah Ibn Al-Yaman رضي الله عنه that he said: "I said: 'Oh, Messenger of Allah! No doubt, we had an evil time (i.e. the days of the *jahiliyyah* or ignorance) and Allah brought us a good time (i.e. Islamic period) through which we are now living. Will there be a bad time after this good time?' He (the Prophet ﷺ) said: 'Yes.' I said: 'Will there be a good time after this bad time?' He said: 'Yes.' I said: 'Will there be a bad time after this good time?' He said:

«نَعَمْ» قُلْتُ: فَهَلْ وَرَاءَ ذَلِكَ الْخَيْرُ شَرٌّ؟ قَالَ: «نَعَمْ» قُلْتُ: كَيْفَ؟ قَالَ: «يَكُونُ بَعْدِي أَيْمَةٌ لَا يَهْتَدُونَ بِهَدَايَ، وَلَا يَسْتَنُونَ بِسُنَّتِي، وَسَيَقُومُ فِيهِمْ رَجَالٌ قُلُوبُهُمْ قُلُوبُ الشَّيَاطِينِ فِي جُثَمَانِ إِنْسٍ» قَالَ: قُلْتُ: كَيْفَ أَصْنَعُ؟ يَا رَسُولَ اللَّهِ! إِنْ أَدْرَكْتُ ذَلِكَ؟ قَالَ: «تَسْمَعُ وَتُطِيعُ لِلْأَمِيرِ، وَإِنْ ضَرَبَ ظَهْرُكَ، وَأَخَذَ مَالُكَ، فَاسْمَعْ وَأَطِعْ»

"Yes." I said: "How?" Whereupon he said: "There will be leaders who will not be led by my guidance and who will not adopt my ways. There will be among them men who will have the hearts of devils in the bodies of human beings." I said: "What should I do, oh, Messenger of Allah, if I (happen) to live in that time?" He replied: "You should listen to the Ameer and carry out his orders, even if your back is flogged and your wealth is snatched, you should listen and obey." This is an authentic *hadeeth*.^[2]

^[1] Narrated by Muslim (3/1482, no. 66/1855).

^[2] Narrated by Muslim (3/1476, no. 52/1847).